

# Laws and Issues in Protecting Children from Sexual Exploitation: A Case Study in Thailand

Ploypailin Sriwiset<sup>1</sup>

## Abstract

*Today, violations of children's rights have become more intense and have taken on new forms. Child protection laws provide a legal framework designed to shield children from harm and abuse, especially sexual abuse. These laws define the rights and responsibilities of parents, the state, and others involved with children. The objectives of this research are 1) to study the legal measures regarding child protection laws and issues related to the sexual exploitation of children in Thailand, compared to international and foreign laws, and 2) to explore ways to amend and improve Thai laws on child protection from sexual exploitation of children in Thailand to align with international standards. The study found that significant child protection laws in Thailand include: 1) the Child Protection Act, B.E. 2546 (2003), 2) the Anti-Human Trafficking Act, B.E. 2551 (2008), and 3) the Domestic Violence Victims Protection Act, B.E. 2550 (2007). However, due to various factors and ambiguous definitions, the child protection laws have not fully achieved their objectives, allowing offenders to receive lighter punishments. Therefore, this article examines ways to amend and improve Thai child protection laws regarding sexual exploitation of children to be consistent with international law. The recommendations on legal action can be divided into three approaches: legal measures and child protection issues regarding sexual exploitation of children, child protection issues from sexual exploitation, and measures to suppress those who sexually exploit children.*

**Keywords:** *Children's Rights Violations, Child Protection Act, Sexual Abuse, Sexual Exploitation of Children.*

## Introduction

Currently, violations of children's rights are frequently observed in Thai society. These violations are becoming more severe and taking on new forms, to the point where they have become a familiar image in society, causing "children" to live in a state of paranoia. The issue of children's rights violations is a significant and long-standing problem. However, Thai society often overlooks these issues (Ministry of Labour, n.d.) due to a lack of knowledge and understanding of children's rights as part of human rights, which are certified by the United Nations and protected under the Convention on the Rights of the Child, accepted by 195 member countries, including Thailand (Amnesty International Thailand, 2021). Violations are the acts that have negative consequences for children or those who are being violated and can be committed by nearby adults, family members, neighbors, community members, strangers, government officials, private officials, or even other children. Such violations are divided into five types: 1) physical abuse, 2) sexual abuse, 3) verbal and emotional abuse, 4) neglect, and 5) violation of children's privacy (SOS Children's Village Thailand under the Royal Patronage of Her Majesty the Queen, n.d.). Sexual abuse of children is particularly appalling, being both legally and morally unacceptable, and is increasing every day in both quantity and complexity. It often occurs through the actions of those close to the child who are familiar with them. When these incidents are discovered, they are often concealed out of shame to protect the reputations of both the children and the offenders (Bangkok Health Information Center, n.d.).

The report on cases of sexual abuse among children and youth found that in 3 years (2021–2023), a total of 1,097 Thai children and youth were sexually abused, and it is estimated that more than 50% of victims did not file a report. Most of the offenders were close people, such as relatives, stepfathers, fathers, neighbors, and people known through social media. Furthermore, the investigation revealed the exploitation of over 112 children and youths for prostitution. Online sexual services, which include the sale of obscene images or videos, are also prevalent. Both voluntary and blackmail groups exist (The Intelligent, 2023). The victims are often children from families with social and economic problems. They are a minority group from both diaspora communities and marginalized groups. These victims included both girls and

---

<sup>1</sup> Law Program, Faculty of Humanities and Social Sciences, Buriram Rajabhat University, Thailand, Email: ploypailin.ss@bru.ac.th

boys, many of whom may have experienced domestic abuse, come from broken families, or have been abandoned. (ECPAT Foundation Thailand, 2013). There are numerous methods to engage in sexual exploitation of children. Sexual exploitation in tourism activities is a form of undermining children's rights to live happily in their youth (UNICEF, 2017). From the research of Weeraphan Ramangthong and Wichitra Srison (2020), who studied the problem of child prostitution in the Anti Trafficking In Persons Division in Mae Hong Son Province, it was found that the key reasons for entry into child prostitution in this region were poverty, remoteness from civilization, inadequate education, ignorance, friends, materialistic needs, lack of morals and ethics among the people involved, societal values regarding use of child prostitution services, influence from those seeking to exploit children, and a lack of knowledge about the law. The Pavena Foundation for Children and Women revealed statistics on complaints received by the foundation from January 1, 2023, to December 27, 2023. It was found that family problems topped the complaints in 2023, reaching 1,339 cases. The number of complaints about rape or obscenity reached 1,038 cases, an increase of 8.4% from 2022. Additionally, cyber dangers and human trafficking lures have also increased. Most reported rape cases involved children and women. In 2022, it was found that children aged 10-15 years were the most frequently raped, with 381 cases, followed by those aged 15-20 years with 198 cases. In third place were children from birth to 10 years old, with 110 cases, which is a very concerning statistic. This year, the number of sexual harassment complaints has increased even more. Therefore, the Office of the Basic Education Commission (OBEC) should find ways to help children and prevent such tragic events (The Active, 2023).

Kavenagh, Head of Research at ECPAT, presented the summary of a study that took one and a half years to complete as the COVID-19 pandemic situation made field visits difficult for this research. In-depth interviews were conducted with a group of young male sex workers in Thailand, specifically those who sell sex in Bangkok and Chiang Mai. This group, consisting of 20 individuals aged 15-24 years, is known as the "SOGIE" (SOGIE stands for "Sexual Orientation, Gender Identity, and Expression"). The findings revealed that over half of the youth interviewed started engaging in sexual exchange for valuables during their childhood, with the youngest being 12 years old. Sometimes, they engage in sexual exchanges solely for the purpose of finding shelter, security, or a small amount of money as the primary driving force behind their entry into this industry is their struggle with poverty, family violence and discrimination based on differences in sexual orientation (Thailand Institute of Justice, 2021)

Thailand has made significant progress in developing a legal framework to protect children at risk. The enactment of the Child Protection Act, B.E. 2546 (2003) is a key indicator of this progress, elevating Thailand's status as a leader in promoting children's rights both regionally and internationally. Thai and foreign laws have been studied and compared to analyze and find solutions for inventors or authors to be protected by law (Sriwiset & Nurnazar, 2022). The Act is based on the principles outlined in the United Nations Convention on the Rights of the Child and specifies various forms of violence and illegal exploitation that can harm children. This Act provides protection for all Thai children, regardless of their socio-economic status, ethnicity, or religion. It clearly states that caring for children's well-being is everyone's responsibility and that child abuse will not be tolerated. Furthermore, it affirms Thailand's commitment to helping children by strengthening families (Songkhla Home for Children, n.d.). However, despite the Child Protection Act, B.E. 2546 (2003), the problem of child exploitation has not been resolved effectively enough to the point of being eradicated.

There is past research on welfare, justice, child development, and human rights. A review of the objectives of youth law in Australia includes the following: Catia Malvaso's (2024) research revealed that youth justice agencies are expected to fulfill various legislative objectives but sometimes experience conflicts with the law. This results in a lack of consistency in policies and practices and limited effectiveness. Legal reform is necessary to achieve a new vision of youth justice, which is especially true if one of the main objectives is to protect vulnerable children (Malvaso, 2024).

From what has been mentioned above, it is necessary to research the legal issues in managing the protection of children from sexual exploitation. Despite the enactment of the Child Protection Act, B.E. 2546 (2003), which has been in place for 20 years, children continue to be abused. Government agencies work in a

fragmented and redundant manner, lacking coordination and integration at the national, provincial, and local levels, as well as between government and private entities. There is also a deficiency in information management systems, budget, and personnel to address this problem comprehensively. Therefore, this research aims to study the legal and child protection issues related to the sexual exploitation of children to identify more appropriate and effective solutions.

## Research Objectives

To examine legal measures regarding child protection from sexual exploitation in Thailand, and compare them with international and foreign laws

To explore ways to amend and improve Thai laws on child protection from sexual exploitation to ensure consistency with international standards

### *Research Scope*

This research focuses on the legal protection and issues related to protecting children from sexual exploitation, including child prostitution, child pornography, and the sale of children. The study examines various legal frameworks and measures, including the National Council for Peace and Order's Notification No. 68/2557 on Urgent Interim Measures to Prevent and Suppress Human Trafficking and Solve Problems pertaining to Migrant Workers, Phase One; the Constitution of the Kingdom of Thailand 2017; the Prevention and Suppression of Prostitution Act, B.E. 2539 (1996); the Measures in Prevention and Suppression of Trafficking in Women and Children Act, B.E. 2540 (1997); the Child Protection Act, B.E. 2546 (2003); the Anti-Human Trafficking Act, B.E. 2551 (2008); the Criminal Code; and the Criminal Procedure Code. Moreover, the study explores guidelines for international cooperation under the Convention on the Rights of the Child and the Optional Protocol to the CRC on the Sale of Children, Child Prostitution, and Child Pornography.

### *Research Methods*

Conduct research and gather information from academic documents related to laws and the protection of children from sexual exploitation, particularly in cases of child prostitution, both in Thailand and internationally. This includes analyzing data obtained from research articles, journals, textbooks, publications, theses, training and seminar reports, and various research reports from both public and private sectors, as well as conducting internet searches.

Compare the information obtained from Thai law with foreign laws regarding the protection of children from sexual exploitation.

Compare international law, foreign law, and Thai law concerning the protection of children from sexual exploitation. Several international laws have focused on the issue of legal protection against child sexual exploitation over the past several decades. However, there is no international law or convention that clearly addresses the commercial sexual exploitation of children. Existing provisions are often broadly interpreted. Studying international law and Thai law on issues related to the commercial sexual exploitation of children aims to present the overall problem of children being commercially sexually exploited. In other words, this study presents the issues of commercial sexual exploitation of children and those at risk of such exploitation, adhering to the principles and obligations outlined in the Convention on the Rights of the Child and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography as summarized in Table 1, Table 2.

Table 1. Comparative Table of International Laws

Convention on the Rights of the Child	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
<p>1. The objective is to provide protection to children under 18 years of age, unless they reach the age of majority earlier according to the applicable law.</p> <p>2. The rights of each child within its jurisdiction shall be respected and guaranteed, free from discrimination.</p> <p>3. State parties are required to take appropriate measures in terms of child protection and punishment.</p> <p>- <b>Part 1 (Articles 1-41)</b> discusses the principles and content of various rights that children should receive. This includes general rights and freedoms of children, protection of their body, life, freedom, and welfare, provision of social welfare, protection of civil rights, protection of children with behavioral problems or criminal offenses, and protection of underprivileged children.</p> <p>- <b>Part 2 (Articles 42-45)</b> outlines the criteria and procedures that countries ratifying the Convention must follow.</p> <p>- <b>Part 3 (Articles 46-54)</b> describes the mechanisms of the Convention, including how to monitor compliance and set various conditions for enforcement.</p> <p>(Thailand became a party by accession on February 12, 1992, and the Convention came into effect for Thailand on April 26, 1992. Thailand has reservations regarding Article 22 on the status of refugee children, as it has not yet accepted refugee status according to Thai domestic law and is not a party to the Convention Relating to the Status of Refugees.)</p>	<p>1. The objective is to ensure the protection of children from the sale of children, child prostitution, and child pornography. The agreement is as follows:</p> <p>Article 1: States parties shall prohibit the sale of children, child prostitution, and child pornography as specified in this Protocol.</p> <p>Article 2: This article defines the terms and meanings for the purposes of the Protocol.</p> <p>Article 3: States parties shall ensure that the following acts and activities are covered by criminal law, particularly within the framework of sexual exploitation.</p> <p>2. In terms of assistance, appropriate measures must be taken to protect children's rights and interests.</p> <p>3. The ages of the victims are clearly classified.</p> <p><b>This is an Additional Protocol to the Convention on the Rights of the Child, addressing Articles 32, 34, and 35, which deal with the economic and sexual exploitation of children.</b></p> <p><b>Part 1 (Articles 1-3)</b> addresses the prohibition and criminalization of the sale of children, child prostitution, and child pornography.</p> <p><b>Part 2 (Articles 4-6)</b> addresses measures for determining jurisdiction over crimes, extradition, and investigations.</p> <p><b>Part 3 (Articles 7-10)</b> outlines measures for the confiscation of assets related to wrongdoing, measures to protect children's rights and interests, policies for prevention, correction, and promotion of public awareness, and international cooperation in prevention, rehabilitation, and reintegration of affected children.</p> <p><b>Part 4 (Articles 11-17)</b> discusses the preparation of a report on the results of operations according to the Optional Protocol.</p>

Table 2. Comparative Table of Laws within Thailand

Related laws	Definition or meaning	Penalty	Section/related content/ comments
The Prevention and Suppression of Prostitution Act, B.E.2539 (1996)	The meaning of the word "prostitution" is given in Section 4 (paragraph 1).	The section that addresses the offense includes specific penalties.	Penalties should be distinguished from the content of Sections 5, 6, 7, 8, and 9 by specifying them explicitly.

The Measures in Prevention and Suppression of Trafficking in Women and Children Act, B.E. 2540 (1997)	None	There are no penalties	Section 5 addresses crimes related to the trafficking of women and children. Section 7 specifies the penalties for offenders, though they are limited in number.
Child Protection Act, B.E. 2546 (2003)	None	The penalties are present, but they are not comprehensive.	In Section 4, which is the definition section, the term “child” is thoroughly defined. However, it does not yet encompass the Protocol, and the penalties prescribed are too lenient.
The Anti-Human Trafficking Act, B.E. 2551 (2008)	The term “exploitation” is included.	Section 6 specifies particular penalties.	Penalties specified in Section 6 and Section 52 pertain to offenders who commit crimes of human trafficking.
Criminal code	None	There is a penalty clause within the section that specifies the offense, but it is not distinctly separated.	The relevant sections are as follows: Title 9: Sexual Offenses, Sections 276, 277, 277(bis), 277(ter), 278, 279, 280, and 280/1, etc.

**Note:** There is no definition of the terms “sale of children,” “child prostitution,” and “child pornography” according to the Optional Protocol to the Convention on the Rights of the Child.

#### *Results of Legal Analysis and The Problem of Protecting Children from Sexual Exploitation*

According to the Convention on the Rights of the Child (CRC) and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography, compliance with the CRC is an international obligation with provisions related to the rights of children. The fundamental principle is that all children are endowed with rights from birth, and countries that ratify the Convention must take measures to protect and promote these rights to the best of their ability, at least in accordance with the minimum standards of child protection and care. The main points of the Convention on the Rights of the Child include the protection of the child’s physical life, freedom, and welfare, as well as principles regarding the protection of children who commit crimes. It emphasizes protecting children’s rights in every aspect, including preventing the unlawful exploitation of children in any form or method. The implementation of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography, along with the addition of Articles 2(a)(b) and 3(a) to Articles 32, 34, and 35, provides clear definitions of the sale of children, child prostitution, and child pornography as forms of sexual exploitation of children as follows:

“The sale of children” refers to any action or transaction where an individual or group transfers a child to another individual or group in exchange for remuneration or other advantages.

“Child prostitution” refers to the use of children in sexual acts for compensation or any other form of gain.

“Child pornography” refers to any form of presentation where children engage in explicit sexual activity, whether real or simulated, or showcase their sexual parts for the primary purpose of sex.

When considering various laws, both international and domestic, regarding measures to protect children from sexual exploitation, it is found that Thai law includes provisions such as the Prevention and Suppression of Prostitution Act, B.E. 2539 (1996), the Child Protection Act, B.E. 2546 (2003), which comprehensively defines the term “children,” and the Anti-Human Trafficking Act, B.E. 2551 (2008), alongside the Criminal Code and the Criminal Procedure Code. However, there is no legal definition of the terms “sale of children,” “child prostitution,” and “child pornography” to adequately protect children from sexual exploitation. Existing definitions are insufficient, as they do not fully cover the content or scope of offenses under current legal conditions. According to the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography, which Thailand has ratified, state parties are expected to take steps to ensure the protection of children from trafficking, prostitution, and pornography. This includes safeguarding children, both girls and boys, who are at risk of being sexually exploited.

Therefore, the researcher deems it appropriate to propose an amendment to clarify and expand the definitions of offenses, specifically “sale of children,” “child prostitution,” and “child pornography,” in accordance with the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography. These definitions should be incorporated into national law to ensure the substantive content is clear and the law is applied effectively and comprehensively, in line with the objectives of the Optional Protocol, to prevent and suppress offenses against children at risk, including those who are affected or may be at risk of being affected in the future. Regarding child protection measures in foreign law, the key points can be discussed in the following order.

In the United Kingdom (England), procedural laws for juveniles and family cases have been enacted, known as children’s law. When a case involving a child arises in any jurisdiction, the court applies the procedures according to children’s law. This allows England to use juvenile and family sentencing procedures to protect the welfare of children, young people, and their families throughout the country. The Juvenile and Family Court in the UK has the authority to consider and adjudicate cases involving children and youth who have committed criminal offenses (with the exception of direct murder cases). Measures have been established to address risk factors and promote children’s rights, considering the child’s status and ensuring protection by professionals. For instance, the Child Protection Act, B.E. 2546 (2003) emphasizes the importance of children by avoiding the use of authority to intervene in problems between parents and children unless it is with the voluntary consent of the family. This includes arranging a new address using discretion.

Australia operates under a federal system of government, where each state has jurisdiction and autonomy over its judicial processes, including those involving juvenile cases. In Victoria, individuals under the age of 18 who commit serious crimes must be referred to the High Court for consideration. The criminal law stipulates that the court has the authority to protect the welfare of abused children. Upon request, the court can issue a summons or arrest warrant for individuals to be questioned. Additionally, the law specifies offenses related to child abandonment.

The Philippines has established clear provisions and measures regarding child protection through state policies, laws, and its constitution. State policies, outlined in Sections 12 and 13, mandate that the state must protect children from exploitation, particularly in terms of abuse and exploitation. The Child and Youth Welfare Code declares that “children” are among the nation’s most important assets, and the state will do everything in its power to ensure their complete welfare and happiness.

As for Norway, its government officials make every effort to ensure that children have their basic rights protected and are safeguarded from all forms of violence. This is achieved through the enactment of laws and the implementation of other measures, such as providing funds to child protection agencies for the welfare of children and youth. Norwegian law clearly defines the roles and responsibilities of parents and applies to all children residing in Norway, regardless of their legal residency status. Children over the age

of 18 have more autonomy in making their own decisions. The law also emphasizes providing equal rights to children and offers strong protection against the sexual exploitation of children.

Therefore, the researcher proposes that there should be an urgent amendment to the law, particularly in the enforcement of existing laws, as well as administrative measures, social policies, and plans regarding child trafficking, child prostitution, and child pornography. These measures should be made stricter. Implementing measures to prevent and prosecute police corruption, especially among those involved in the child sex industry, is crucial. Regulations and strict compliance measures should be established, and necessary legal actions should be taken. Additionally, social measures should be administered to prevent and eliminate the tourism industry's sexual exploitation of children. It is recommended that the government work to enhance understanding within industry agencies about the dangers of tourism for sexual exploitation of children.

## Conclusion

From the study and analysis of the laws and issues surrounding the protection of children from sexual exploitation in Thai society, it is evident that the commercial sexual exploitation of girls and boys remains prevalent. Despite the severity of this issue, efforts to combat this form of human trafficking are insufficient. Contributing factors include societal misconceptions and the lack of active enforcement by the relevant authorities. The country's law enforcement agencies are not taking adequate measures to address and suppress this problem.

The laws that protect children within Thailand include the Prevention and Suppression of Prostitution Act, B.E. 2539 (1996); the Measures in Prevention and Suppression of Trafficking in Women and Children Act, B.E. 2540 (1997); the Child Protection Act, B.E. 2546 (2003); the Anti-Human Trafficking Act, B.E. 2551 (2008); the Criminal Code; and the Criminal Procedure Code. All of the above laws are related to child protection. Some of these laws have specific provisions, while others lack clearly defined content, resulting in legal gaps that may hinder the appropriate and efficient application of these legal provisions. The Ministry of Labour reported that Thailand ratified the International Labour Organization (ILO) Convention, No. 182, on Worst Forms of Child Labour Convention, on February 16, 2001. As a result, Thailand is obligated to comply with the provisions of this Convention (Phayao Provincial Public Relations Office, 2023).

This research aims to present legal measures to address the problem of protecting children from sexual exploitation. It seeks to find solutions to these problems, focusing on legal guidelines, and to fulfill obligations under various international conventions. These include the Convention on the Rights of the Child, the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure, the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography, and the International Covenant on Civil and Political Rights (ICCPR).

## Recommendations

At present, despite efforts to implement additional amendments to the measures, laws, and child protection issues concerning the sexual exploitation of children, there remains a problem of ambiguity, inappropriateness, and adequacy in the legal provisions to address the issue. The amended provisions still lack consistency in determining punitive measures for those who sexually exploit children. Some laws have yet to specify specific measures on this matter. Klocke (2024) provides recommendations for human rights research, suggesting that the government should strengthen existing laws and regulations to protect children from exploitation and abuse. Furthermore, the government should ensure these laws and regulations are effectively enforced, with violators receiving appropriate punishment. Additionally, the government and NGOs should promote access to education for all children, especially those from marginalized communities. Establishing schools and vocational training centers for child workers would provide education, skills, and strengthen child protection systems to identify and assist child workers, offering rehabilitation and social support. Lundy et al. (2022) suggest that it is important to listen to young children's opinions about their education to improve its quality. By adopting a broader and more detailed

understanding of children's rights, this approach could significantly help address or reduce the credibility gap.

To achieve the study objectives of this research, the researcher presents the following recommendations, based on a thorough study and analysis of legal measures to address the problem of protecting children from sexual exploitation. The issues related to protecting children from sexual exploitation, as well as the measures to prevent and suppress those who sexually exploit children, are as follows:

For the recommendations resulting from legal action, legal action can be divided into three approaches: legal measures and child protection issues regarding sexual exploitation of children, child protection issues from sexual exploitation, and measures to suppress those who sexually exploit children. The recommendations are as follows:

1. Enhance the legal provisions regarding child protection, especially for children who are sexually exploited, in accordance with the Constitution of the Kingdom of Thailand.
2. Introduce and enhance laws related to the protection of children, particularly those who are sexually exploited, at risk of sexual exploitation, or affected by sexual exploitation. These changes should be integrated into the Prevention and Suppression of Prostitution Act, B.E. 2539 (1996); the Measures in Prevention and Suppression of Trafficking in Women and Children Act, B.E. 2540 (1997); the Child Protection Act, B.E. 2546 (2003), the Anti-Human Trafficking Act, B.E. 2551 (2008); the Criminal Code; and the Criminal Procedure Code. The focus should be on providing specific and clear definitions and penalties.
3. Expedite the improvement of agencies and develop personnel responsible for child protection and the suppression of those seeking to sexually exploit children. Ensure they have the necessary knowledge of legal measures and a comprehensive understanding of the problem, particularly concerning children who are currently being sexually exploited.

In addition to the above recommendations for legal and practical measures, as Thailand is a member of the global community and a signatory to the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure, the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography, and the International Covenant on Civil and Political Rights (ICCPR), Thailand should take the following actions:

1. Thailand should take legal and practical measures in accordance with its obligations under the Convention on the Rights of the Child and its Optional Protocols on the Communications Procedure, Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography, as well as the International Covenant on Civil and Political Rights (ICCPR). These measures should be implemented strictly to strengthen international cooperation in eliminating the problem of sexual exploitation of children.
2. Thailand should take measures to strengthen regional cooperation for the prevention, suppression, and assistance to children, particularly in remote border regions and among minority groups that do not receive adequate care.
3. Thailand should enhance and implement measures for exchanging knowledge, information, and methods to prevent and suppress sexual exploitation, and provide assistance to children at risk of sexual exploitation, both legally and practically, in cooperation with other member countries.

To address the problem of enacting laws without considering the unenforceable state mechanisms, several approaches may be taken:

1. The government should assess the necessity of enacting additional laws, considering that Thailand has already established numerous laws to regulate various actions. This extensive legal framework has resulted in a multitude of laws that control the behavior of many individuals within the country.



Consequently, law enforcement officers may struggle to fully comprehend all these laws. When a law that is truly necessary needs to be enforced, its effectiveness may decrease due to the presence of superfluous regulations. Therefore, it is essential to limit the enactment of laws regulating individual behavior to only those that are absolutely necessary.

2. Educating government officials on new laws is essential. Currently, the bureaucracy in Thailand still relies on an examination system for employment. However, after passing the exams, there is limited promotion of ongoing learning or dissemination of new laws. Consequently, newly enacted laws are often unknown to those responsible for their implementation. It has been observed that investigators frequently align human trafficking laws with the criminal code due to their familiarity with the latter. Therefore, enhancing knowledge and understanding of newly enacted laws is as crucial as studying the four main legal codes: the Civil and Commercial Code, the Criminal Code, the Civil Procedure Code, and the Criminal Procedure Code, which are currently studied rigorously.
3. Exploring alternative solutions to problems beyond the use of criminal laws is crucial. Enacting laws with criminal penalties places a significant burden on the government. Once criminal laws are enacted, the government must manage and address offenses through criminal procedures. This responsibility includes investigative officers conducting investigations, collecting evidence, and presenting cases to prosecutors, thereby increasing the workload for prosecutors and the courts, which are already overwhelmed. Additionally, this leads to overcrowded prisons, creating substantial economic burdens for the state. Addressing the issue of human trafficking through other means, such as education and public warnings to prevent individuals from being deceived by trafficking organizations, can empower people to protect themselves. This approach may help alleviate the problem of unenforceable laws.
4. Enhance the level of public knowledge and understanding by utilizing information from websites and various media sources, such as those from the ECPAT Foundation. This should aim to raise awareness and understanding among community groups, student groups, and local political representatives about the sale of children, child prostitution, and child pornography.
5. In terms of business, all tourism business operators are urged to cooperate in ensuring their businesses do not become tools for the sexual exploitation of children. This includes supporting and promoting safe internet practices to protect children from online dangers, and encouraging the media to responsibly report on issues related to the sexual exploitation of children.

## Acknowledgments

I express profound gratitude to the organizers of the BRU GoScopus II project at Buriram Rajabhat University (BRU) for their indispensable assistance on content and analysis, along with their steadfast support in the formulation of research articles for successful publication. Furthermore, I would like to express my heartfelt thanks to BRU for its financial assistance with this publication.

## References

- Amnesty International Thailand. (2021). "Why violate my rights?" A small voice that is overlooked in Thai society." <https://www.amnesty.or.th/latest/blog/865/>
- Bangkok Health Information Center. (n.d.). Child sexual abuse. [www.bangkokhealth.com](http://www.bangkokhealth.com)
- Child Rights Protection Center. (2016). Target group children according to the Child Protection Act, B.E. 2546 (2003). <https://www.thaichildrights.org/>
- Department of Empowerment of Persons with Disabilities. (n.d.). Table comparing the differences between Thai law vs. international law and foreign law. <https://www.dep.go.th/th/>
- Klocke, U. (2024). Sexualization of Children or Human Rights? Attitudes Toward Addressing Sexual-Orientation Diversity in School. *Journal of Homosexuality*, 3(71), 600-631. <https://doi.org/10.1080/00918369.2022.2122368>
- Lundy, L., Murray, C., Smith, K. & Ward, C. (2024). Young children's right to be heard on the quality of their education: Addressing potential misunderstandings in the context of early childhood education. *British Educational Research Journal*, 00, 1–15. <https://doi.org/10.1002/berj.3968>
- Malvaso, C. (2024). Welfare, justice, child development and human rights: a review of the objects of youth justice legislation in Australia. *Current Issues in Criminal Justice*, <https://doi.org/10.1080/10345329.2024.2313784>.
- Ministry of Labour. (n.d.). The Anti-Human Trafficking Act, B.E. 2551 (2008). <https://www.mol.go.th/>

- Office of Welfare Promotion, Protection, and Empowerment of Vulnerable Broups. (n.d.). Convention on the Rights of the Child. <https://humanrights.mfa.go.th/upload/pdf/crc.pdf>
- Phayao Provincial Public Relations Office. (2023). The Cabinet's acknowledgement of the situation report to eliminate child labor for fiscal year 2022. <https://phayao.prd.go.th/th/content/category/detail/id/60/iid/229903>
- Ramangthong, W., & Srison, W. (2020). The problem of child prostitution from a case of the human trafficking suppression division in Mae Hong Son province. *Journal of Legal Entity Management and Local Innovation*, 6(5), 11-27. <https://so04.tci-thaijo.org/index.php/jsa-journal/article/view/241827>
- Songkhla Home for Children. (n.d.). Summary of important points: Child Protection Act, B.E. 2546 (2003). <https://www.bansongkhla.org/data/porobo-2003/porobo2546-2.pdf>
- SOS Children's Village Thailand under the Royal Patronage of Her Majesty the Queen. (n.d.). Five types of child rights violations. <https://www.sosthailand.org/blog/child-abuse>
- Sriwiset, P. & Nurnazar, P. (2022). The Protection of Patents on Animal-related Inventions: Thailand's Problems and Solutions. *Res Militaris*, 12(1), 73-85.
- Thailand Institute of Justice. (2021). TIJ joins hands with ECPAT to release research report on sexual exploitation of boys. <https://www.tijthailand.org/highlight/detail/detail/exploitation-of-boy-in-thailand>
- The Active. (2023). Revealing statistics for 2023: An increase in sexual harassment and Thai youth still at risk. <https://theactive.net/news/public-health-20231228/>
- The ECPAT Foundation. (2013). Awareness of sexual exploitation of children. The ECPAT Foundation.
- The Intelligent. (2023). In the past three years, more than 1,000 Thai youths have experienced sexual abuse. <https://intsharing.co/>
- UNICEF. (2017). Summary report analyzing the situation of commercial sexual exploitation of children in Thailand. ECPAT International.